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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/085,309	02/28/2002	Jean-Francois Kummel	145.002	7609

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EXAMINER

TUGBANG, ANTHONY D

ART UNIT	PAPER NUMBER
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3729

DATE MAILED: 05/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

### Office Action Summary

Application No.

10/085.309

**Applicant(s)**

KUMMEL, JEAN-FRANCOIS

**Examiner**

### A. Dexter Tugbang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 08 May 2006.  
2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.  
4a) Of the above claim(s) 11-17 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-10 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)  
 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Response to Arguments*

1. In the response filed on May 8, 2006, the applicant(s) argue that the prior art does not teach “overmoulding...of the coil” (lines 7-10 of Claim 1). The above feature was relied upon in Billings et al and the examiner’s position is that the body (e.g. 14) is formed by overmoulding of block of insulating material because it is molded. The applicant(s) assert that overmoulding refers to an injection molding technique (as noted in page 8 of the response of May 8, 2006). The examiner disagrees with this insomuch as overmoulding is a broader, or genus, form of molding where injection moulding is a much more specific form of overmoulding. If this were not the case, then why would Claims 7-9 be needed to further limit what overmoulding means? So with respect to Claim 1 and “overmoulding”, to say that this is an injection moulding technique is arguing much more specifically than that which is claimed.

However, after having carefully reconsidered the Billings et al reference, the examiner has concluded that Billings does not teach the sequential order of the steps of Claim 1 reciting:

“...winding a wire having ends to form a winding in the form of *a flat coil*, the winding step performed without using a former;

connecting the ends of the winding to *inner ends of connecting terminals*;

overmoulding a body from a block of an insulating material onto *the coil* and onto *the inner ends of the connecting terminals...*” (emphasis added).

Based on the antecedent basis of the claimed terms of a flat coil, inner ends of connecting terminals, and a body of insulating material, the above steps are performed in their recited order.

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Billings first provides the body of insulating material (e.g. 14), then subsequently winds the wire (e.g. 28 or 32) around the body of insulating material. This is in reverse order than what is recited above for Claim 1. Accordingly, the rejections with respect to Billings et al have been withdrawn.

### ***Election/Restrictions***

2. Claim 18 is a generic claim and now that Claim 18 is found to be allowable, dependent Claims 2, 5 and 6 have been rejoined with generic Claim 1. Therefore, the election of species requirement (paragraph 5 of the restriction, dated June 3, 2003) has been withdrawn.

However, the restriction requirement between Group I (Claims 1-10) and Group II (Claims 11-17) is repeated and hereby maintained. Claims 11-17 continue to stand as being withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected invention, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on July 3, 2003.

### ***Allowable Subject Matter***

3. Claims 1-10 are allowed.

### ***Conclusion***

4. This application is in condition for allowance except for the following formal matters.

In Claim 5, the phrase of "core comprises placing a core" (line 2) should be changed to -- core further comprises placing the core--.

This application contains Claims 11-17 drawn to an invention nonelected with traverse in the response filed on July 3, 2003. A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

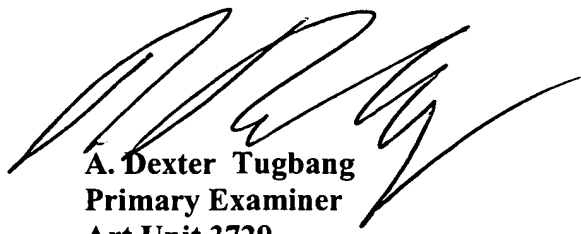
A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to A. Dexter Tugbang whose telephone number is 571-272-4570. The examiner can normally be reached on Monday - Friday 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on 571-272-4690. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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**A. Dexter Tugbang**  
**Primary Examiner**  
**Art Unit 3729**

May 18, 2006